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REMARKS

A check in the amount of \$86 dollars is enclosed to cover the official fee, on the small entity basis, for two (2) independent claims in excess of the five (5) independent claims already paid for.

Claims 90-103 are presently pending in the present Application and the Examiner has rejected claims 90-93, 96, 97 and 101-103 under 35 U.S.C. 102(b) over Verderber '611, claims 94, 95 and 99 under 35 U.S.C. 103(a) over Verderber '611, and claim 98 under 35 U.S.C. § 103 over Verderber '611 in further view of Cecil '637.

The Examiner has also stated that claim 100 would be allowable if rewritten in independent form including all recitations and limitations of base claim 99 and any intervening claims.

First considering claim 100, the Applicant thanks the Examiner for finding claim 100 to be allowable if rewritten to include all recitations and limitations of claim 99 and, in response, the Applicant has rewritten claim 100 to include all recitations and limitations of claim 99 and the amended claim 100 now appears as new claim 104, the previous version of claim 100 having been canceled, the dependencies of any claims depending from claim 100 being amended appropriately.

It is therefore the belief and position of the Applicant that new claim 104, being the combination of claim 99 with claim 100, is now allowable and the Applicant respectfully requests that the Examiner find new claim 104 to be allowable for the reasons stated by the Examiner.

Next considering claims 90-99 and 101-103 under 35 U.S.C. § 102 and 35 U.S.C. § 103, the Applicant has carefully reviewed the Examiner's response to the previously present arguments regarding the distinctions of the present invention over the prior art and the Examiner's comments regarding the grounds for rejection of the claims under either or both of 35 U.S.C. § 102 and 35 U.S.C. § 103. It is the belief and understanding of the Applicant that the Examiner concurs that the present invention as discussed in the previously present

arguments does present distinctions over the cited prior art, but that the claims do not include sufficient explicit recitations of those limitations but instead include only functional language at the significant points.

In response, therefore, the Applicant respectfully requests that the arguments distinguishing the present invention over the prior art be incorporated into the present response by reference, rather than simply repeating the previously presented arguments.

In addition, and in direct response to the stated grounds for rejection of the claims, the Applicant has amended independent claims 90, 99 and 103 to include a limitation explicitly directed to the structural aspects of the present invention that allows the light emitting device to comprise an optically integrated unit and to provide the desired optical interface between the light emitting element and the light conducting element. More specifically, the Applicant has amended claims 90, 99 and 103 to include the recitation "the unit being of essentially identical traverse section shapes and dimensions."

It is the belief and position of the Applicant that independent claims 90, 99 and 103 are fully distinguished over Verderber '611 alone and over Verderber '611 in further view of Cecil '637 under the requirements and provisions of 35 U.S.C. § 102 and 35 U.S.C. § 103. The Applicant respectfully requests that the Examiner reconsider and withdraw all rejections of claims 90-99 and 101-103 over Verderber '611 alone and over Verderber '611 in further view of Cecil '637 under the requirements and provisions of 35 U.S.C. § 102 and 35 U.S.C. § 103, and the allowance of claims 90-99 and 101-103 as amended herein.

In addition, and for the same reasons, the Applicant respectfully submits new claims 105-109 wherein the structural limitations of the device are further explicitly recited to state that the light emitting element and at least a portion of the light conducting element adjacent the light emitting element are mechanically permanently joined into a single unitary structure, thereby providing a structure having the desired functional characteristics. It will be noted that new claims 105-109 do not contain any new subject matter, being entirely based

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upon the specification, drawings and claims or the present Application as originally filed. It will also be noted that new claims 105-109 are directed to the same subject matter as the previously submitted claims and that new claims 105-109 do not change the subject matter or extend the scope of the previously pending claims.

It is therefore the belief and position of the Applicant that new claims 105-109 are fully distinguished over Verderber '611 and over Verderber '611 in further view of Cecil '637 under the requirements and provisions of 35 U.S.C. § 102 and 35 U.S.C. § 103. The Applicant therefore respectfully requests the allowance of claims 105-109 as presented herein.

In view of the foregoing, it is respectfully submitted that this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as First Class Mail in an envelope addressed to: Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. October 9, 2003.

By: _____

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